

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

RODERICK L. HYMON,

Plaintiff,

v.

NICOLE SITTRE, et al.,

Defendants.

Case No.: 2:23-cv-01916-JAD-NJK

**ORDER**

(Docket No. 1)

On November 17, 2023, *pro se* plaintiff Roderick L. Hymon, an inmate housed at the Clark County Detention Center, submitted a complaint under 42 U.S.C. § 1983 and applied to proceed *in forma pauperis*. Docket Nos. 1, 1-1. Plaintiff's application to proceed *in forma pauperis* is incomplete because he did not submit an application on this Court's approved form. Plaintiff did, however, submit a completed financial certificate on this Court's approved form and an inmate account statement for the proceeding six months.

The United States District Court for the District of Nevada must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). The fee for filing a civil-rights action is \$402, which includes the \$350 filing fee and the \$52 administrative fee. *See* 28 U.S.C. § 1914(b). "Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*." LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the Court's approved form, that is properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court's approved form, that is properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate's prison or jail trust fund account statement for the previous six-month period**. *See* 28 U.S.C. § 1915(a)(1)–(2); LSR 1-2. *In forma pauperis* status

1 does not relieve an inmate of his or her obligation to pay the filing fee, it just means that the inmate  
2 can pay the fee in installments. *See* 28 U.S.C. § 1915(b).

3 Accordingly, for the reasons stated above,

4 IT IS ORDERED that the application to proceed *in forma pauperis*, Docket No. 1, is  
5 **DENIED** without prejudice.


6 IT IS FURTHER ORDERED that, no later than **January 19, 2024**, Plaintiff must either  
7 pay the full \$402 filing fee or file a completed application on this Court's approved form with the  
8 inmate's two signatures on page 3.

9 IT IS FURTHER ORDERED that, if Plaintiff fails to timely comply with this order, this  
10 action will be subject to dismissal without prejudice. A dismissal without prejudice allows  
11 Plaintiff to refile the case with the Court, under a new case number, when Plaintiff can file a  
12 complete application to proceed *in forma pauperis* or pay the required filing fee.

13 The Clerk of the Court is **INSTRUCTED** to send Plaintiff the approved form application  
14 to proceed *in forma pauperis* for an inmate and instructions for the same and retain the complaint,  
15 Docket No. 1-1, but not file it at this time.

16 IT IS SO ORDERED.

17 DATED: November 22, 2023.

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21 NANCY J. KOPPE  
22 UNITED STATES MAGISTRATE JUDGE  
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